

HONG-TO DEW

MARCH 10, 1958.—Committed to the Committee of the Whole House and ordered to be printed

Mr. CRAMER, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 2763]

The Committee on the Judiciary, to whom was referred the bill (H. R. 2763) for the relief of Hong-to Dew, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Page 2, lines 5 and 6, strike the words "in excess of 10 per centum thereof".

PURPOSE

The purpose of the proposed legislation is to pay Hong-to Dew the sum of \$2,820.32, out of the account established to accommodate the property vested by the Attorney General as described in the bill, in full settlement of the claims of Hong-to Dew against the United States for the vesting and liquidation under the authority of the Trading With the Enemy Act of 102 shares of \$15 par value common capital stock of Socony-Vacuum Co., Inc.

STATEMENT

During World War II Hong-to Dew was a resident of Formosa which was then Japanese territory. He filed a claim for the return of his 102 shares of Socony-Vacuum Co. stock which had been vested by Vesting Orders 15173 and 17574 dated October 5, 1950 and March 23, 1950. The stock had been subsequently sold for the sum of \$2,820.32. He based his claim on the fact that upon the outbreak of war between the United States and Japan, his house was searched, was questioned and beaten at Japanese police headquarters. He was accused of making reports to American oil companies on gasoline

deliveries to the Japanese military establishment. Mr. Dew also stated that he was kept under surveillance by Japanese police until the end of the war, and his name was placed on a blacklist. His movements were restricted to certain areas around the city of Taipei. The Office of Alien Property held that the actions of the Japanese toward Mr. Dew did not constitute substantial deprivation of liberty pursuant to any law, decree, or regulation discriminating against political, racial, or religious groups, and Mr. Dew did not meet the eligibility requirements for the return of vested property under section 32 of the Trading With the Enemy Act. The adverse Justice Department report outlines the handling his claim received.

The evidence presented to this committee establishes that Mr. Dew served 36 years as employee of the Socony-Vacuum Co., and the stock represents his savings for that period. Mr. Dew is a Chinese citizen. The official who was the Chinese consul at Taipei during the Japanese occupation of Taiwan (Formosa) has certified that Mr. Dew's residence was searched by Japanese police, and he was arrested as a suspected American spy on January 18, 1938. At that time Mr. Dew was detained in prison for investigation. In 1941 his home and the company office were thoroughly searched, and all correspondence and documents were taken away for investigation. Mr. Dew's diary was among the papers so taken. He was accused of making reports to his New York office of all gasoline deliveries to the Japanese military, and also of passing the same information to the Shell Co. for British benefit. When these charges were not substantiated by the material taken from the company files, Mr. Dew was beaten in an effort to make him confess.

On the basis of the facts of this case this committee has decided that Mr. Dew should be given the relief provided for in H. R. 2763. In view of the circumstances of this case it is clear that the strict application of the law to Mr. Dew has resulted in a real hardship and an injustice. Accordingly this committee recommends that the bill be considered favorably.

DEPARTMENT OF JUSTICE,
OFFICE OF THE DEPUTY ATTORNEY GENERAL,
Washington, D. C., July 23, 1957.

HON. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice relative to the bill (H. R. 2763) for the relief of Hong-to Dew.

The bill would authorize and direct the Attorney General to pay to Hong-to Dew, a Chinese citizen resident of Formosa, the sum of \$2,820.32 in full settlement of his claims against the United States on account of the vesting and liquidation of 102 shares of capital stock of Socony-Vacuum Co., Inc., registered in his name, which were vested by Vesting Orders 15173 and 17574, dated October 5, 1950, and March 23, 1950, respectively, and subsequently sold for the sum of \$2,820.32.

On January 8, 1951, Mr. Dew filed his claim for the return of the corporate stock referred to. Claimant was a resident throughout

World War II in the then Japanese territory of Taiwan (now Formosa) and therefore was ineligible for the return of his property under sections 2 (a) and 9 (a) of the Trading With the Enemy Act. In support of his claim of eligibility for return under section 32 of the act, Mr. Dew, who was in the employ of an American oil company for 32 years, asserted that upon the outbreak of war between the United States and Japan, his home was searched, he was questioned and beaten at Japanese headquarters, and accused of making reports to certain American oil companies on gasoline deliveries to the Japanese military establishment. Mr. Dew alleged also that thereafter he was kept under surveillance by the Japanese police until the end of the war, that his name was included on the Japanese blacklist, and that his movements were restricted to certain areas around the city of Taipei. Following administrative consideration of the claim, it was determined by the Office of Alien Property that these alleged acts of the Japanese toward Mr. Dew did not constitute substantial deprivation of liberty pursuant to any law, decree, or regulation discriminating against political, racial, or religious groups and, therefore, Mr. Dew did not meet the eligibility requirements for return of vested property under section 32 of the act and his claim was denied.

In view of the fact that the bill proposes to accord Mr. Dew preferential treatment denied to others similarly situated the Department of Justice is unable to recommend its enactment. Attention of the committee, however, is invited to the fact that enactment of the administration bill (H. R. 6888), providing, as a matter of grace, for the return of vested property to individuals up to a maximum of \$10,000 per person, would afford Mr. Dew the entire measure of relief proposed by the bill here under consideration.

The Bureau of the Budget has advised that there is no objection to the submission of this report.

Sincerely,

WILLIAM P. ROGERS,
Deputy Attorney General.

○

The first of these is the fact that the
 second of these is the fact that the
 third of these is the fact that the
 fourth of these is the fact that the
 fifth of these is the fact that the
 sixth of these is the fact that the
 seventh of these is the fact that the
 eighth of these is the fact that the
 ninth of these is the fact that the
 tenth of these is the fact that the
 eleventh of these is the fact that the
 twelfth of these is the fact that the
 thirteenth of these is the fact that the
 fourteenth of these is the fact that the
 fifteenth of these is the fact that the
 sixteenth of these is the fact that the
 seventeenth of these is the fact that the
 eighteenth of these is the fact that the
 nineteenth of these is the fact that the
 twentieth of these is the fact that the
 twenty-first of these is the fact that the
 twenty-second of these is the fact that the
 twenty-third of these is the fact that the
 twenty-fourth of these is the fact that the
 twenty-fifth of these is the fact that the
 twenty-sixth of these is the fact that the
 twenty-seventh of these is the fact that the
 twenty-eighth of these is the fact that the
 twenty-ninth of these is the fact that the
 thirtieth of these is the fact that the
 thirty-first of these is the fact that the
 thirty-second of these is the fact that the
 thirty-third of these is the fact that the
 thirty-fourth of these is the fact that the
 thirty-fifth of these is the fact that the
 thirty-sixth of these is the fact that the
 thirty-seventh of these is the fact that the
 thirty-eighth of these is the fact that the
 thirty-ninth of these is the fact that the
 fortieth of these is the fact that the
 forty-first of these is the fact that the
 forty-second of these is the fact that the
 forty-third of these is the fact that the
 forty-fourth of these is the fact that the
 forty-fifth of these is the fact that the
 forty-sixth of these is the fact that the
 forty-seventh of these is the fact that the
 forty-eighth of these is the fact that the
 forty-ninth of these is the fact that the
 fiftieth of these is the fact that the
 fifty-first of these is the fact that the
 fifty-second of these is the fact that the
 fifty-third of these is the fact that the
 fifty-fourth of these is the fact that the
 fifty-fifth of these is the fact that the
 fifty-sixth of these is the fact that the
 fifty-seventh of these is the fact that the
 fifty-eighth of these is the fact that the
 fifty-ninth of these is the fact that the
 sixtieth of these is the fact that the
 sixty-first of these is the fact that the
 sixty-second of these is the fact that the
 sixty-third of these is the fact that the
 sixty-fourth of these is the fact that the
 sixty-fifth of these is the fact that the
 sixty-sixth of these is the fact that the
 sixty-seventh of these is the fact that the
 sixty-eighth of these is the fact that the
 sixty-ninth of these is the fact that the
 seventieth of these is the fact that the
 seventy-first of these is the fact that the
 seventy-second of these is the fact that the
 seventy-third of these is the fact that the
 seventy-fourth of these is the fact that the
 seventy-fifth of these is the fact that the
 seventy-sixth of these is the fact that the
 seventy-seventh of these is the fact that the
 seventy-eighth of these is the fact that the
 seventy-ninth of these is the fact that the
 eightieth of these is the fact that the
 eighty-first of these is the fact that the
 eighty-second of these is the fact that the
 eighty-third of these is the fact that the
 eighty-fourth of these is the fact that the
 eighty-fifth of these is the fact that the
 eighty-sixth of these is the fact that the
 eighty-seventh of these is the fact that the
 eighty-eighth of these is the fact that the
 eighty-ninth of these is the fact that the
 ninetieth of these is the fact that the
 ninety-first of these is the fact that the
 ninety-second of these is the fact that the
 ninety-third of these is the fact that the
 ninety-fourth of these is the fact that the
 ninety-fifth of these is the fact that the
 ninety-sixth of these is the fact that the
 ninety-seventh of these is the fact that the
 ninety-eighth of these is the fact that the
 ninety-ninth of these is the fact that the
 hundredth of these is the fact that the

The first of these is the fact that the
 second of these is the fact that the

